

EXHIBIT 408



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General Assurances and Certifications 2023-24

The following Assurances and Certifications are requirements of applicants and grantees as a condition of receiving funds.

1. Programs and services are and will be in compliance with Title VI and Title VII of the Civil Rights Act of 1964; the California Fair Employment Practices Act, Government Code §11135; and Chapter 1, Subchapter 4 (commencing with §30) of Division I of Title 5, California Code of Regulations (5 CCR).
2. Programs and services are and will be in compliance with Title IX (nondiscrimination on the basis of sex) of the Education Amendments of 1972. Each program or activity conducted by the local educational agency (LEA) will be conducted in compliance with the provisions of Chapter 2, (commencing with §200), Prohibition of Discrimination on the Basis of Sex, of Part 1 of Division 1 of Title I of the California Education Code (EC), as well as all other applicable provisions of state law prohibiting discrimination on the basis of sex.
3. Programs and services are and will be in compliance with the affirmative action provisions of the Education Amendments of 1972.
4. Programs and services are and will be in compliance with the Age Discrimination Act of 1975.
5. Programs and services for individuals with disabilities are in compliance with the disability laws. (Public Law (PL) 105-17; 34 Code of Federal Regulations (34 CFR) 300, 303; and Section 504 of the Rehabilitation Act of 1973)
6. When federal funds are made available, they will be used to supplement the amount of state and local funds that would, in the absence of such federal funds, be made available for the uses specified in the state plan, and in no case supplant such state or local funds. (20 United States Code (USC) §6321; PL 114-95, §1118(b)(1))
7. All state and federal statutes, regulations, program plans, and applications appropriate to each program under which federal or state funds are made available through this application will be met by the applicant agency in its administration of each program.

8. Schoolsite councils have developed and approved a School Plan for Student Achievement (SPSA) for schools participating in programs funded through the consolidated application process, and any other school program they choose to include, and that school plans were developed with the review, certification, and advice of any applicable school advisory committees. (EC §64001)
9. LEAs using their own school planning template in place of the SPSA have ensured that the content meets the statutory requirements of schoolwide programs and school improvement (comprehensive support and improvement, targeted support and improvement, and additional targeted support and improvement) under the Every Student Succeeds Act, as applicable. (EC §64001; 20 USC §6311; PL 114-95, §1111(d)(1)(2))
10. The LEA will use fiscal control and fund accounting procedures that will ensure proper disbursement for state and federal funds paid to that agency under each program. (5 CCR, §4202)
11. The LEA will make reports to the state agency or board and to the Secretary of Education as may reasonably be necessary to enable the state agency or board and the Secretary to perform their duties and will maintain such records and provide access to those records as the state agency or board or the Secretary deems necessary. Such records will include, but will not be limited to, records which fully disclose the amount and disposition by the recipient of those funds, the total cost of the activity for which the funds are used, the share of that cost provided from other sources, and such other records as will facilitate an effective audit. The recipient shall maintain such records for three years after the completion of the activities for which the funds are used. (34 CFR 76.722, 76.730, 76.731, 76.760; 2 CFR 200.333)
12. The local governing board has adopted written procedures to ensure prompt response to complaints within 60 calendar days, and has disseminated these procedures to students, employees, parents or guardians, district/school advisory committees, appropriate private school officials or representatives, and other interested parties. (5 CCR, §4600 et seq.)
13. The LEA declares that it neither uses nor will use federal funds for lobbying activities and hereby complies with the certification requirements of 34 CFR Part 82.
14. The LEA has complied with the certification requirements under 34 CFR Part 84 regarding debarment, suspension and other requirements for a drug-free workplace. (34 CFR Part 84)
15. The LEA will provide the certification on constitutionally protected prayer. (20 USC §7904; PL 114-95, §8524(b))
16. The control of funds provided under each such program and title to property acquired with program funds will be in a public agency, an eligible private agency, institution, or organization, or an Indian tribe, if the law authorizing the program provides for assistance to those entities; and (B) the public agency, eligible private agency, institution, or organization, or Indian tribe will administer those funds and property to the extent required by the authorizing law. (20 USC §7844; PL 114-95, §8304(a) (2)(A-B))
17. The LEA administers all funds and property related to programs funded for equitable services provided to students attending private schools. (20 USC §6320; PL 114-95, §1117(d)(1))

18. The LEA will adopt and use proper methods of administering each program including enforcement of any obligations imposed by law on agencies responsible for carrying out programs and correction of deficiencies in program operations identified through audits, monitoring or evaluation. (20 USC §7846; PL 114-95, §8306(a)(3)(A-B))
19. The LEA will participate in the California Assessment of Student Performance and Progress. (EC §60640, et seq.)
20. The LEA assures that classroom teachers who are being assisted by instructional assistants retain their responsibility for the instruction and supervision of the students in their charge. (EC §45344(a))
21. The LEA governing board has adopted a policy on parent involvement that is consistent with the purposes and goals of EC Section 11502. These include all of the following: (a) to engage parents positively in their children's education by helping parents to develop skills to use at home that support their children's academic efforts at school and their children's development as responsible future members of our society; (b) to inform parents that they can directly affect the success of their children's learning, by providing parents with techniques and strategies that they may utilize to improve their children's academic success and to assist their children in learning at home; (c) to build consistent and effective communication between the home and the school so that parents may know when and how to assist their children in support of classroom learning activities; (d) to train teachers and administrators to communicate effectively with parents; and (e) to integrate parent involvement programs, including compliance with this chapter, into the school's master plan for academic accountability. (EC §§11502, 11504)
22. Results of an annual evaluation demonstrate that the LEA and each participating school are implementing Consolidated Programs that are not of low effectiveness, under criteria established by the local governing board. (5 CCR §3942)
23. The program using consolidated programs funds does not isolate or segregate students on the basis of race, ethnicity, religion, sex, sexual orientation or socioeconomic status. (United States Constitution, Fourteenth Amendment; California Constitution, Article 1, §7; California Government Code §§11135-11138; 42 USC §2000d; 5 CCR, §3934)
24. Personnel, contracts, materials, supplies, and equipment purchased with Consolidated Program funds supplement the basic education program. (EC §62002; 5 CCR, §§3944, 3946)
25. At least 85 percent of the funds for School Improvement Programs, Title I, Title VI and Economic Impact Aid (State Compensatory Education and programs for English learners) are spent for direct services to students. One hundred percent of Miller-Unruh apportionments are spent for the salary of specialist reading teachers. (EC §63001; 5 CCR, §3944(a)(b))
26. State and federal categorical funds will be allocated to continuation schools in the same manner as to comprehensive schools, to the maximum extent permitted by state and federal laws and regulations. (EC §48438)
27. Programs and services are and will be in compliance with Section 8355 of the California *Government Code* and the Drug-Free Workplace Act of 1988, and implemented at CFR Part 84, Subpart F, for grantees, as defined at 34 CFR Part 84, Sections 84.105 and 84.110.

28. Federal grant recipients, sub recipients and their grant personnel are prohibited from text messaging while driving a government owned vehicle, or while driving their own privately owned vehicle during official grant business, or from using government supplied electronic equipment to text message or email when driving. Recipients must comply with these conditions under Executive Order 13513, "Federal Leadership on Reducing Text Messaging while Driving," October 1, 2009.
29. The Federal grant sub recipient has complied with the Federal Funding Accountability and Transparency Act, as defined in 2 CFR Part 25 (PL 109-282; PL 110-252) regarding the establishment of a Data Universal Numbering System (DUNS) number and maintaining a current/active registration in the [System for Award Management](#) web page.
30. Tribal consultation is required for all Title programs covered by ESSA (ESEA section 1111(a)(1)(A)) when an LEA have received a Title VI Indian Education formula grant in the previous fiscal year that exceeds \$40,000, or have 50 percent or more (using enrollment from the previous year) of its student enrollment made up of American Indian/American Native (AI/AN) students. The total AI/AN enrollment data would include those students who self-identify as AI/AN alone and AI/AN in combination with one or more races, regardless of Hispanic ethnicity. A list of LEAs required to conduct tribal consultation can be found on the California Department of Education [Tribal Consultation web page](#). Each affected LEA shall maintain in the agency's records and provide to the state educational agency a written affirmation signed by the appropriate officials of the participating tribes—or tribal organizations approved by the tribes—that the consultation required by this section has occurred. (20 USC §7918; PL 114-95, §8538)

Questions: Education Data Office | connappsupport@cde.ca.gov | 916-319-0297

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